



# Chapter 2

## People and Activities in the Polling Place

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### **Voters with Disabilities**



Voters with disabilities have the same rights as all other voters!

1. Be courteous, patient and respectful.
2. Don't underestimate people with disabilities.
3. **Don't put a time limit on voting.** Be considerate of the extra time it may take a disabled or elderly voter to do something.
4. Always speak directly to the voter, not to the voter's companion, aide, or sign language interpreter.
5. Offer assistance, but **don't insist** or be offended if your offer is not accepted. The person may not want or need assistance but your asking will be appreciated. Refer to *Chapter 5 – Check-In Area* for specific instructions on serving voters requesting assistance to vote.



Never insist upon providing assistance when the voter hasn't requested it.

6. Be sure that there are **signs to direct voters** with disabilities to the most accessible way to the polling place as shown the polling place layout provided by the board of elections.
7. Be aware of obstacles and hazards that could cause injury. Notify the building staff of safety concerns.
  - A. Fasten floor mats, rugs, and power cords securely with duct tape or move them out of the way.
  - B. Keep floors as dry as possible.
8. Keep the ramps and wheelchair-accessible doors to the polling place unlocked and free of clutter.
9. If necessary, be creative in how you accommodate voters with disabilities. For example, **if a voter is unable to stand in line, ask another voter in line to serve as a placeholder**, by holding the "Elderly and/or Disabled Voter Line Placement Card". Allow the voter needing assistance to sit until the placeholder reaches the check-in judge.

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**Never ask or require a voter to provide proof of a disability.** A voter's disability may not be apparent to you.

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### Voters Who Can't Sign Any Form

1. Don't assume a voter can't sign his or her own name.
  - A. Follow regular check-in procedures and inform the voter when a signature is required. Let the voter inform you if he or she can't sign his or her name.
  - B. If the voter is blind or has low vision, the voter may ask you to guide his or her hand to the location on the paper in order for the voter to sign. **Never grab the voter's hand or pen, or attempt to guide the voter's hand when not requested to do so by the voter.**



**Always ask the voter before assisting.**

2. If a voter is unable to sign his or her voter authority card, *Voter Update Form*, or **any form**, ask the voter to make an "X" or similar mark on the signature line. This mark is acceptable as that individual's signature.
  3. When voters are unable to make a mark, write the following statements on the back of the forms the voters are to sign:
    - A. On the voter authority card: "This voter is qualified to vote but is unable to sign his or her name."
    - B. On all other forms except the voter authority card: "This voter is unable to sign his or her name."
    - C. Sign your name and write the date under the statement.
- 

### Voters Requesting Assistance to Vote

1. Any voter can select any individual to provide assistance **except**:
  - A. The voter's employer or agent of the voter's employer;
  - B. An officer or agent of the voter's union;
  - C. A person appointed as a challenger or watcher for this election;

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- D. A candidate who is on the voter's ballot (for a voter casting a provisional ballot).

**NOTE:** Two election judges of different political parties can also assist a voter.

- 2. **The assistant must read and sign a *Voter Assistance Form*.**
- 3. The assistant may assist the voter **only** by:
  - A. Reading the voter the instructions, ballot content, or the provisional ballot application; or
  - B. Marking or casting the ballot, operating the voting unit, or completing the provisional ballot application **as directed by the voter**.
- 4. **Individuals providing assistance are prohibited from suggesting how voters should vote on any contest.**



The *Voter Assistance Form* must be completed when a voter requests the assistance of another person.

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### **Completing the Voter Assistance Form**

- 1. Complete Part I of the *Voter Assistance Form* – found in the Document Jacket.
- 2. Ask the individual providing assistance to complete Part II of the *Voter Assistance Form*. If election judges are assisting the voter, the election judges must complete Part III of the form.
- 3. When completed, place the form into the designated envelope in the Document Jacket.

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State of Maryland Voter Assistance Form	
<b>Instructions:</b> Use this form if a voter has a disability or is unable to read or write English and requests assistance with voting or completing a provisional ballot application. Assistance is limited to: (1) reading the voter instructions, ballot content, or the provisional ballot application; and (2) marking or casting the ballot, operating the voting unit, or completing the provisional ballot application as directed by the voter.	
<b>Part I – Completed by Election Judge</b>	
Printed Name of Voter _____	
Street Address _____	
City _____	State _____ Zip _____
The voter named above has requested assistance in voting and is being assisted by:	
<input type="checkbox"/> A person designated by the voter (Go to Part II) or <input type="checkbox"/> Two election judges (Go to Part III)	
<b>Part II – Completed by Person Designated by Voter</b>	
Printed Name: _____	
Street Address _____	
City _____	State _____ Zip _____
I affirm that:	
<ol style="list-style-type: none"><li>1. I am not the voter's employer or agent of the voter's employer;</li><li>2. I am not an officer or agent of the voter's union;</li><li>3. I have not been appointed as a challenger or watcher for this election;</li><li>4. For a voter casting a provisional ballot, I am not a candidate who is on the voter's ballot;</li><li>5. The named voter asked me to assist with marking or casting the ballot or in completing a provisional ballot application;</li><li>6. I will assist the voter only by: (a) reading the voter the instructions, ballot content, or the provisional ballot application; or (b) marking or casting the ballot, operating the voting unit, or completing the provisional ballot application as directed by the voter; and</li><li>7. I will not attempt to influence or suggest in any way how the voter should vote in any contest or question.</li></ol>	
_____ Signature	_____ Date
<b>Part III – Completed by Election Judges Assisting Voter</b>	
_____ Signature – Election Judge	_____ Party Affiliation
_____ Signature – Election Judge	_____ Party Affiliation
SBE 10-10 (Rev. 8/13)	

### Voter Assistance Form (Sample)

## Voters Requesting Instructions

If a voter requests instructions on how to use voting equipment or about the voting process, two election judges of different parties may give instructions. Election judges are prohibited from suggesting how the voter should vote on any contest.

## Voters Who are Blind or Have Low Vision

1. Tell the voter your name and that you are an election judge as soon as you come in contact with a blind or low vision voter.
2. Read any required information to the voter.

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3. If you are guiding a voter, offer your arm to the voter, rather than taking the voter's arm. Give the voter information that is obvious to voters who can see (i.e., stairs, obstacles, turning left, etc.).



**Always ask the voter before assisting or touching the voter.**

Never grab the voter's arm or attempt to guide the voter unless the voter requests assistance first.

4. If a person uses a service animal, walk on the opposite side of the voter, away from the animal. **Do not pet or otherwise distract a service animal without asking the owner (and be alert to others attempting to do so).** Service animals are highly trained and need no special care other than that provided by the owner.



Service animals are allowed in all buildings.

5. If a person uses a cane, walk on the opposite side of the voter, away from the cane. **Do not touch or take the cane from the voter.** Let the voter determine where to place the cane while voting. However, it is reasonable for you to inform the person if the cane may be a tripping hazard to others.

6. Explain how the voter can get your attention if needed, and tell the voter when you are leaving.

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## **The Visually Impaired Ballot Station (VIBS)**

Voters may choose to vote using the audio ballot on a Visually Impaired Ballot Station (VIBS). The VIBS voting unit is a touchscreen voting unit that has been set up with a numeric keypad and headphones to allow voters to hear and vote an audio ballot. All voting units can be set up as VIBS (Visually Impaired Ballot Station) units with a keypad and headphones. At least one VIBS voting unit should be set up and ready to use before the polls open.

**Note:** The ballot **will not display** on the touchscreen when a voter is using the audio ballot on a VIBS voting unit. This is to protect voting privacy.



At least one VIBS voting unit must be set up and ready to use before the polls open.

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## Magnified Ballot and High Contrast Options

Voters may also choose to use the magnified ballot option and/or the high contrast option available on all touchscreen units. Voters can select either or both of these options when the instructions page appears on the screen. Voters can go back to the instructions screen to select these options anytime while voting on a touchscreen unit.

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## Voters with Physical Disabilities

A voter with a physical disability may choose to vote on a touchscreen unit from a seated position (wheelchair or folding chair). The angle of a touchscreen unit's screen can be adjusted to accommodate a voter in a seated position (see *"Preparing the Accessible Voting Unit in Chapter 9 – Getting the Voting Units Ready"*).

1. Ask before pushing or touching a voter's wheelchair or equipment. Respect that people who use wheelchairs or equipment consider the equipment a part of their personal space.
  2. **Ask before helping.** Grabbing someone's elbow could throw the person off balance. A voter with a physical disability might need to lean on a door while opening it. You might cause the voter to fall if you open the door too quickly.
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## Voters with Speech or Hearing Disabilities

1. A voter who can't speak can give the check-in judge his or her required information by writing it. Check-in judges should have paper and pens readily available.
2. Follow the voter's cues to determine whether speaking, gesturing, or writing is the most effective method of communication.
3. If you can communicate with the voter by speaking, speak calmly, slowly, and directly to the voter. Use short, simple sentences. Ask one question at a time. Do not shout. Your facial expressions, gestures, and body movements will help the voter understand you.
4. Don't speak for the voter or attempt to finish his or her sentences.
5. Rephrase, rather than repeat, sentences that the voter does not understand. If the voter is still having difficulties, write it down on

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paper.

6. If you don't understand something the voter has said, ask the voter to say it again. Don't pretend that you understand. If you are still having difficulties understanding, provide the voter with a pen and paper and ask the voter to write down what he or she said.
  7. Look and speak directly to a person ("What is your name?"), not to his or her sign language interpreter ("What is his name?").
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### **Voters with Cognitive Disabilities**

A voter with a cognitive disability may have difficulty comprehending, reading, writing, or communicating. The voter may choose to have someone assist him or her while voting. **Do not challenge a voter's cognitive ability.**

1. Be prepared to repeat what you say – either orally or in writing.
  2. Allow time to understand the voter and make sure that the voter understands you.
- 

### **Tips for Cross-Cultural Communication**

As an election judge, you will be assisting individuals of different backgrounds, ethnicities, cultures, and language abilities. Be patient and helpful, as this may be a new experience for some voters. Here are some effective communication tips.

1. Be clear and concise. Avoid slang and jargon.
2. Be alert for the non-verbal language of those whose cultural background is different from your own. Also, be aware of your own "body language and gestures" that others may misinterpret.
3. Speak slowly, directly and simply; be specific.
4. Allow pauses, do not talk too much, and organize your thoughts.
5. Recap conversations and check for understanding often.
6. Do not embarrass the person when checking for understanding.
7. Listen carefully and patiently.



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8. Use the written word as well as the spoken word. If English is a person's second language, it may be easier to read English than to hear it.
9. Understand the person's perspective of being in a foreign setting and culture and confronted with an unfamiliar language. New voters may be nervous.
10. Limited English language skills do not imply a lack of education or an inability to understand; only an obstacle to communication.
11. Spanish speaking election judges are available in each polling place to assist voters with limited English proficiency. Election judges who speak other languages may use their language skills to assist voters as needed.

### **Electioneering**

Electioneering is prohibited in the polling place and between 25 and 100 feet of the entrance and exit to the polling place ("no electioneering zone"). No electioneering, political activity, or posting or distributing of campaign materials may take place within the "no electioneering zone."

Election judges are forbidden from electioneering and/or partisanship while working at the polling place. **You may not wear or display ANY political material or express political opinions while you are in the polling place or while performing the duties of an election judge.**

"Electioneering" includes wearing clothing that supports or opposes a candidate, ballot issue, or political party. The ban on electioneering **does not** apply to political messages on clothing, buttons, badges, or the like worn by a voter who is on his or her way into the polling place or inside the polling place to vote. Voters are allowed to wear clothing, buttons, or the like with a political message but are not allowed to linger in the polling place or within the "no electioneering zone."

Throughout the day, monitor the activity outside the polling place and instruct anyone electioneering within the "no electioneering zone" to stay outside the marked boundary. If individuals persist, chief judges must call local law enforcement and request that the individuals be removed from the property. Also, election judges are advised to immediately remove political materials left behind in the polling place by voters.

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Election judges are advised to not apply the “no electioneering zone” restriction to lawn signs or other speech on private property that falls within the 25 to 100 foot zone unless the Chief Judge can articulate a reason why the restriction is necessary to prevent voter confusion, harassment, or intimidation. Election judges may *request* that a property owner limit display of campaign signs to areas beyond 25 feet, but any effort to enforce compliance by a person at that person’s residence should be referred to the board of elections for appropriate action.



If you have any questions, ask the chief judges.

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## **Electronic Equipment in the Polling Place**

**The use of electronic communication devices is prohibited inside the polling room. Prohibited devices include radios, televisions, cameras, cellular telephones, pagers, and computer equipment.**

The exceptions to this rule are:

1. With the approval of both chief judges, members of the media may use cameras in a polling place and within the “no electioneering zone” provided that they do not interfere with the voting process and do not jeopardize the privacy of the voters.
2. Cellular telephones, pagers, or computer equipment **issued or authorized by the board of elections** may be used in the polling place but only for election purposes. Law enforcement officers may also use such equipment when acting in their official capacities.

Voters may bring printed materials into the polling place. This includes specimen ballots, voter’s guides from newspapers, and campaign literature. Voters may use electronic devices while waiting in line **outside of the polling room**.

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## **Exit Polling**

Organizations and individuals sometimes conduct “exit polling” to gather information about how individuals voted. Exit polling is permitted within the “no electioneering zone” subject to the direction of the chief election judges.

## *People and Activities in the Polling Place*

Individuals conducting exit polling must:

1. Stay outside the polling room;
2. Not ask questions until after the voter has voted and left the polling room;
3. Inform voters that participation is voluntary; and
4. Not electioneer within the “no electioneering zone.”

**Note:** Chief Judges should try to accommodate exit pollsters. However, chief judges are reminded of their duty to maintain order in and around the polling place including limiting activities that create delays or disruptions in the voting process or access to the polling room. Chief Judges may designate an area for exit polling outside the polling room and limit the number of people for each organization or the number of groups polling.

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### **Challengers and Watchers**


Maryland law allows designated individuals to serve as challengers and watchers. Challengers and watchers represent candidates, political parties, or proponents and opponents of ballot issues. Accredited challengers and watchers are election observers who have access to polling places to observe all Election Day activities.

1. To be an accredited challenger and watcher, an individual must have a certificate completed by one of the following persons or entities:
  - A. The State Board of Elections;
  - B. A local board of elections;
  - C. A candidate (including filed write-in candidates);
  - D. A political party; or
  - E. Any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot.



Filed write-in candidates are entitled to have an authorized challenger and watcher in each polling place.

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2. Challengers and watchers have the right to:
  - A. Be in the polling room at least 1/2 hour before the polls open;
  - B. Be in the polling room at any time when the polls are open;
  - C. Be in the polling room during the completion of all tasks associated with closing the polls;
  - D. Maintain a list of registered voters who have voted or individuals who have cast provisional ballots, and take the list outside of the polling place; and
  - E. Be positioned where they can see and hear each voter as the voter checks in to vote and can observe the activities in the voting room. The chief judges will determine where challengers and watchers will be positioned. Chief judges are **NOT** required to place challengers and watchers directly behind the check-in table or where they can see the screen of the electronic pollbooks;
  - F. Challenge a voter's identity; and
  - G. Periodically throughout the day, may request:
    - One of the chief judges to accompany him or her to voting units not currently being used by voters to verify the tamper tape and public counter; and
    - One of the check-in judges to allow him or her to see the number of voters who have been checked in to vote (located at the bottom, center of the look-up screen).
-  Chief Judges have the discretion to determine if the polling place is too busy at the time of a request and then comply with the request during non-peak voting times.
3. Except as described in item G above, a challenger and watcher may **not** move about the polling place during voting hours. A challenger or watcher who wants to talk with a voter must do so outside the polling place and outside the "no electioneering zone".
4. In addition, a challenger and/or watcher **can't** attempt to:
  - A. Find out how a voter voted or intends to vote;
  - B. Talk with any voter in the polling room;

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- C. Assist any voter in voting;
- D. Interfere with the election process or impede a voter's access to an election judge;
- E. Physically touch the voting equipment or handle an original election document; or
- F. Use a cell phone, laptop, pager, or other electronic equipment in the polling place.



Chief Judges may ask the challengers and watchers to leave a polling place before it opens if the challengers and watchers will prevent the timely opening of the polling place. A majority of the election judges must agree.



Chief judges may remove any challenger or watcher who interferes with the work of the judges, violates the prohibitions listed above, or does not follow an election judge's order.

# People and Activities in the Polling Place

## State of Maryland Challenger & Watcher Certificate

### Part I – Instructions and Information

**Instructions to Designating Candidate or Entity:** You may designate a Maryland registered voter as a challenger and watcher if you are: (a) a candidate; (b) a political party; or (c) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot. *(To be eligible, the group of voters must form a political committee under section 13-207 of the Election Law Article.)*

Before designating any individuals, please read the State Board of Elections' *Instructions and Information for Challengers, Watchers, and Other Election Observers* (available at [www.elections.state.md.us/net\\_involved/index.html](http://www.elections.state.md.us/net_involved/index.html)). Please provide the State Board's instructions to any individual you designate as a challenger and watcher.

**Instructions to Challenger and Watcher:** Please read the State Board of Elections' *Instructions and Information for Challengers, Watchers, and Other Election Observers* (available from your designating candidate or entity or at the website listed above). You must have this certificate when you are acting as a challenger or watcher; you will not be permitted to remain in the voting area without a signed certificate. Give an extra copy of this signed certificate to the election judges when you arrive at an early voting center or polling place.

As a challenger and watcher, you have the right to:

- Enter the voting area at least (but no later than) 30 minutes before voting hours begin;
- Enter or be present in the voting area at any time during voting hours;
- Remain in the voting area until all post-voting tasks have been completed and the election judges leave the voting area;
- Maintain a list of registered voters who have cast a ballot or individuals who have cast provisional ballots;
- Enter and leave the voting area to take outside information that identifies individuals who have cast ballots; and
- Be positioned near the election judges so that you may see and hear each voter as the voter checks in to vote.

You cannot attempt to: (a) determine how a voter voted or intends to vote; (b) talk with any voter in the voting area; (c) assist any voter in voting; (d) physically handle an original election document or equipment; (e) interfere with the election process or impede a voter's access to election judges; or (f) use a cell phone, laptop or other electronic equipment in a voting area.

You may be removed by an election judge if you do not follow an election judges' order or attempt a prohibited act.

### Part II – Certificate Designating Challenger and Watcher

I/We certify that \_\_\_\_\_ has designated \_\_\_\_\_, a

Name of Designating Candidate or Entity

Name of Challenger/Watcher

registered voter, to act as a challenger or watcher for the ☐ 20\_\_ Primary Election OR ☐ 20\_\_ General Election.

(check only one)

This individual will act in this capacity ☐ on election day (complete Part A) and/or ☐ during early voting (complete Part B).

(check all that apply)

Part A: I/We designate this individual as a Challenger or Watcher for the following precinct(s) on election day:

District/Precinct or Ward/Precinct	Name of County or Baltimore City

Part B: I/We designate this individual as a Challenger or Watcher on the following days and at the following early voting locations:

Early Voting Dates	Name of Early Voting Center	Name of County or Baltimore City

\_\_\_\_\_  
Signature of Designating Candidate or Officer of Designating Entity

\_\_\_\_\_  
Office Sought by Candidate

\_\_\_\_\_  
Date

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## Challenger and Watcher Certificate (Sample)



The right of an individual to vote may be challenged **ONLY** on the grounds of **identity**. The challenge must be made before the individual is issued a ballot or a voter authority card. For specific instructions, refer to "A Voter's identity is Challenged" in Chapter 5 - Responsibilities of Chief Judges.

## Other People in the Polling Place

### Children

Children **17 years of age and under** are allowed to accompany a voter as long as the child is in the care of the voter and does not disrupt or interfere with normal voting procedures.

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### Individuals Attired or Equipped as Officials

At a polling place and within the “no electioneering zone,” a person may not wear clothes or equipment that creates the appearance that the individual is performing an official or governmental function in connection with an election. This includes:

1. Wearing a public or private law enforcement or security guard uniform;
2. Using an armband: or
3. Carrying or displaying a gun or badge.

**Note:** The following is an **exception**:

Law enforcement officers or security guards who are on duty, traveling to or from duty, or who are performing an official governmental function may vote while wearing a uniform.

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### Polling Place Evaluators

Members and staff of the local board of elections, the League of Women Voters or other individuals approved by the Maryland State Board of Elections or the Montgomery County board of elections will make unannounced visits to polling places to evaluate the election judges' compliance with procedures and their general performance.

Evaluators make unannounced visits to polling places and use a Polling Place Evaluation Form when conducting evaluations. During the visit, evaluators may speak with election judges and inspect reports but are not allowed to hinder or interfere with the voting process. The evaluators will confer with the Chief Judges and share the Polling Place Evaluation Form.